

Notice of Allowability

Application No.

09/916,370

Examiner

Mark R. Milia

Applicant(s)

LOPEZ ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after final amendment received 7/5/06.
2. ☒ The allowed claim(s) is/are 2,4,5,8,9,20,22,30,36,37,44,46 and 47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

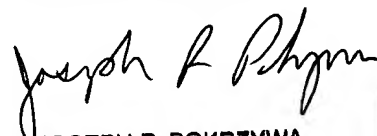
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JOSEPH R. POKRZYWA
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 7/5/06 and has been entered and made of record. Currently, claims 2, 4-5, 8-9, 20, 22, 30, 36-37, 44, and 46-47 are pending.

Claim Rejections - 35 USC § 112

2. Applicant's amendment to claim 20 and cancellation of claims 1, 3, 10-13, 15, 23-26, 28-29, 35, 38-43, and 48-49 renders the rejection, as cited in the previous Office Action, moot. Therefore the rejection has been withdrawn.

Allowable Subject Matter

3. Claims 2, 4-5, 8-9, 20, 22, 30, 36-37, 44, and 46-47 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Regarding claims 20, 30, and the claims dependent therefrom, the examiner believes that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine automatically analyzing a web page to identify image files and filtering the image files based on an image size characteristic, specifically to include image files larger than a threshold size and exclude image files

smaller than the threshold size and the printing of a proof sheet containing the qualified images, the proof sheet also containing an identity marker indicative of a web location for each of the qualified images, with the other limitations set forth in the claims.

Regarding claim 44 and the claims dependent therefrom, the examiner believes that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine textual information associated with a particular image file located in a shadow file different from but associated with the particular image file, with the other limitations set forth in the claims.

The closest prior art, previously noted as Yamaguchi (US 2003/0123079), discloses analyzing a web page with the printing system to identify image files associated with the web page, filtering the image files with the printing system according to predetermined criteria so as to identify qualified image files, selecting at least one of the qualified image files, and printing the selected ones of the qualified image files. However, Yamaguchi fails to disclose filtering the image files based on an image size characteristic, specifically to include image files larger than a threshold size and exclude image files smaller than the threshold size and the printing of a proof sheet containing the qualified images, the proof sheet also containing an identity marker indicative of a web location for each of the qualified images as set forth in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark R. Milia
Examiner
Art Unit 2625

MRM


JOSEPH R. POKRZYWA
PRIMARY EXAMINER